

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
Southern DIVISION**

In re: CAPITAL CONTRACTING CO.

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§

Case No. 14-58920 MAR

Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

Kenneth A. Nathan, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: \$5,323.29
(without deducting any secured claims)

Assets Exempt: N/A

Total Distributions to Claimants: \$461,011.11

Claims Discharged

Without Payment: N/A

Total Expenses of Administration: \$654,102.40

3) Total gross receipts of \$1,115,113.51 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$0.00 (see **Exhibit 2**), yielded net receipts of \$1,115,113.51 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$172,201.71	\$224,783.20	\$38,349.82	\$38,349.82
PRIORITY CLAIMS:				
CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	\$0.00	\$654,102.40	\$654,102.40	\$654,102.40
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	\$0.00	\$0.00	\$0.00	\$0.00
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	\$131,153.15	\$64,365.99	\$66,959.72	\$66,959.72
GENERAL UNSECURED CLAIMS (from Exhibit 7)	\$6,356,498.40	\$12,508,745.19	\$6,038,297.41	\$355,701.57
TOTAL DISBURSEMENTS	\$6,659,853.26	\$13,451,996.78	\$6,797,709.35	\$1,115,113.51

4) This case was originally filed under chapter 7 on 12/09/2014. The case was pending for 64 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 03/31/2020

By: /s/ Kenneth A. Nathan
Trustee

STATEMENT This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 – GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
SECURITY DEPOSITS	1129-000	\$500.00
SECURITY DEPOSITS	1129-000	\$3,000.00
MISC. PREFERENCES	1141-000	\$63,289.87
OTHER CONTINGENT AND UNLIQUIDATED CLAIMS	1129-000	\$600,000.00
MISC. REFUNDS	1290-000	\$3,034.05
CONCORDIA CONTRACTING, LLC	1141-000	\$300,000.00
BANK ACCOUNTS	1129-000	\$900.30
ACCOUNTS RECEIVABLE	1121-000	\$144,389.29
TOTAL GROSS RECEIPTS		\$1,115,113.51
¹ The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.		

EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	None		

EXHIBIT 3 - SECURED CLAIMS

Claim NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
2	OAKLAND COUNTY TREASURER'S OFFICE	4110-000	\$0.00	\$2,735.55	\$0.00	\$0.00
13S	MICHIGAN DEPARTMENT OF TREASURY	4800-000	\$0.00	\$17,326.53	\$17,326.53	\$17,326.53
14	MACOMB COUNTY TREASURER	4210-000	\$0.00	\$8,915.42	\$4,472.71	\$4,472.71
20S-2	STATE OF MICHIGAN	4800-000	\$0.00	\$16,550.58	\$16,550.58	\$16,550.58
25	ERNESTO ROTONDO	4110-000	\$86,600.71	\$179,255.12	\$0.00	\$0.00
N/F	KeyBank USA	4110-000	\$85,601.00	NA	NA	NA
TOTAL SECURED			\$172,201.71	\$224,783.20	\$38,349.82	\$38,349.82

EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Trustee, Fees - Kenneth A. Nathan	2100-000	NA	\$56,703.41	\$56,703.41	\$56,703.41
Trustee, Expenses - Kenneth A. Nathan	2200-000	NA	\$69.92	\$69.92	\$69.92
Bond Payments - INSURANCE PARTNERS AGENCY, INC.	2300-000	NA	\$315.44	\$315.44	\$315.44
Bond Payments - Insurance Partners Agency, Inc.	2300-000	NA	\$86.59	\$86.59	\$86.59
Banking and Technology Service Fee - Rabobank, N.A.	2600-000	NA	\$11,035.41	\$11,035.41	\$11,035.41
Attorney for Trustee Fees (Other Firm) - Jacob & Weingarten, P.C.	3210-000	NA	\$263,860.50	\$263,860.50	\$263,860.50
Special Counsel for Trustee Fees - Lawrence J. Acker, P.C.	3210-600	NA	\$181,984.49	\$181,984.49	\$181,984.49
Attorney for Trustee Expenses (Other Firm) - Jacob & Weingarten, P.C.	3220-000	NA	\$2,835.92	\$2,835.92	\$2,835.92
Special Counsel for Trustee Expenses - Lawrence J. Acker, P.C.	3220-610	NA	\$54,046.52	\$54,046.52	\$54,046.52
Accountant for Trustee Fees (Other Firm) - John F. Dery & Associates	3410-000	NA	\$83,164.20	\$83,164.20	\$83,164.20
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		NA	\$654,102.40	\$654,102.40	\$654,102.40

EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
None					

EXHIBIT 6 – PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
10P-7	INTERNAL REVENUE SERVICE	5800-000	\$45,084.67	\$34,990.85	\$34,990.85	\$34,990.85
13P	MICHIGAN DEPARTMENT OF TREASURY	5800-000	\$74,979.87	\$8,138.16	\$10,731.89	\$10,731.89
20P-2	STATE OF MICHIGAN	5800-000	\$0.00	\$21,236.98	\$21,236.98	\$21,236.98
N/F	City of Sterling Heights	5800-000	\$3,500.59	NA	NA	NA
N/F	County of Macomb	5800-000	\$5,003.24	NA	NA	NA
N/F	Oakland County Treasurer's Office	5800-000	\$2,584.78	NA	NA	NA
N/F	US Attorney (IRS)	5800-000	NA	NA	NA	NA
TOTAL PRIORITY UNSECURED CLAIMS			\$131,153.15	\$64,365.99	\$66,959.72	\$66,959.72

EXHIBIT 7 – GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1	CATERPILLAR FINANCIAL SERVICES CORPORATION	7100-000	\$134,011.18	\$128,681.24	\$0.00	\$0.00
3	CONSUMERS ENERGY COMPANY	7100-000	\$431.85	\$422.53	\$422.53	\$24.89
4	DIAMOND TIRE COMPANY	7100-000	\$1,756.34	\$1,756.34	\$0.00	\$0.00
5	CONTRACTORS CONNECTION	7100-000	\$1,054.13	\$1,054.13	\$1,054.13	\$62.10
6	MICHIGAN TRACTOR & MACHINERY CO.	7100-000	\$0.00	\$19,275.13	\$19,275.13	\$1,135.45
7 -3	CORRIGAN OIL COMPANY	7100-000	\$6,814.87	\$7,113.52	\$7,113.52	\$419.04
8	HOLLOWAY HEAVY HAULING LLC	7100-000	\$1,710.00	\$1,710.00	\$0.00	\$0.00
9	AIRGAS USA, LLC	7100-000	\$84.35	\$741.20	\$741.20	\$43.66
10U-7	INTERNAL REVENUE SERVICE	7100-000	\$0.00	\$28,905.78	\$28,905.78	\$1,702.77
11	NORTHERN CONCRETE PIPE, INC.	7100-000	\$35,091.52	\$38,875.78	\$0.00	\$0.00
12	LONGHORN ESTATES, LLC	7100-000	\$5,500,000.00	\$5,926,240.80	\$5,926,240.80	\$349,100.58
13U	MICHIGAN DEPARTMENT OF TREASURY	7100-000	\$0.00	\$12,343.26	\$12,343.26	\$727.12
15	CHARTER TOWNSHIP OF SHELBY	7100-000	\$0.00	\$5,597,500.75	\$0.00	\$0.00
16	JIMMY'S HEAVY HAUL, INC.	7100-000	\$3,385.00	\$3,885.00	\$0.00	\$0.00

17	WIEGAND CRUSHING COMPANY	7100-000	\$13,959.12	\$13,959.12	\$0.00	\$0.00
18	J&H TRANSPORTATION	7100-000	\$8,146.42	\$8,146.42	\$0.00	\$0.00
19	PNC BANK, N.A.	7100-000	\$20,011.99	\$23,192.31	\$23,192.31	\$1,366.20
21	MICHIGAN PIPE AND VALVE-FLINT, INC.	7100-000	\$79,467.37	\$79,467.37	\$0.00	\$0.00
22	JAMES A. ROCCHIO, PC	7100-000	\$13,922.50	\$14,008.75	\$14,008.75	\$825.22
23	WELLS FARGO EQUIPMENT FINANCE	7100-000	\$0.00	\$271,952.00	\$0.00	\$0.00
24	SHELBY UNDERGROUND	7100-000	\$46,100.00	\$46,100.00	\$0.00	\$0.00
26	CARL F. SCHIER	7100-000	\$65,263.68	\$278,413.76	\$0.00	\$0.00
27	Coats Rose, P.C.	7200-000	\$0.00	\$5,000.00	\$5,000.00	\$294.54
N/F	ABP Investments, LLC	7100-000	\$24,816.69	NA	NA	NA
N/F	ARC	7100-000	\$93.43	NA	NA	NA
N/F	Amerisure Mutual Insurance Company	7100-000	\$34,036.72	NA	NA	NA
N/F	Ann Saterstad	7100-000	\$3.25	NA	NA	NA
N/F	Association Benefits	7100-000	\$2,392.87	NA	NA	NA
N/F	Comcast Billing Department	7100-000	\$206.77	NA	NA	NA
N/F	Culligan of Ann Arbor/Detroit Lockbox Processing	7100-000	\$35.03	NA	NA	NA
N/F	DTE Energy	7100-000	\$447.63	NA	NA	NA
N/F	Guardian Alarm	7100-000	\$75.80	NA	NA	NA
N/F	Jon Novak	7100-000	\$1,450.73	NA	NA	NA
N/F	Ken Holloway	7100-000	\$2,233.16	NA	NA	NA

N/F	MITA, INC.	7100-000	\$2,875.00	NA	NA	NA
N/F	Mack Ind of Michigan	7100-000	\$30,539.43	NA	NA	NA
N/F	Marvin Peplinski	7100-000	\$41.76	NA	NA	NA
N/F	Maxi Automotive Supply	7100-000	\$309.01	NA	NA	NA
N/F	Michigan CAT	7100-000	\$183,752.00	NA	NA	NA
N/F	Michigan CAT	7100-000	\$69,815.00	NA	NA	NA
N/F	Michigan Gas Utilities	7100-000	\$580.14	NA	NA	NA
N/F	Office Express	7100-000	\$49.08	NA	NA	NA
N/F	Pellegrino & Co., PC	7100-000	\$2,300.00	NA	NA	NA
N/F	Rizzo Environmental Services	7100-000	\$75.00	NA	NA	NA
N/F	Robert A. Rotondo	7100-000	\$4,691.12	NA	NA	NA
N/F	Sable Law Firm	7100-000	\$19,600.00	NA	NA	NA
N/F	US Bank	7100-000	\$44,271.40	NA	NA	NA
N/F	Ubaldo Rincon	7100-000	\$267.08	NA	NA	NA
N/F	Viviano Flower Shop	7100-000	\$115.50	NA	NA	NA
N/F	Xerox Financial Services	7100-000	\$214.48	NA	NA	NA
TOTAL GENERAL UNSECURED CLAIMS			\$6,356,498.40	\$12,508,745.19	\$6,038,297.41	\$355,701.57

Form 1

Individual Estate Property Record and Report

Asset Cases

Exhibit 8

Page: 1

Case No.: 14-58920 MAR

Case Name: CAPITAL CONTRACTING CO.

Trustee Name: (420030) Kenneth A. Nathan

Date Filed (f) or Converted (c): 12/09/2014 (f)

§ 341(a) Meeting Date: 01/14/2015

For Period Ending: 03/31/2020

Claims Bar Date: 04/16/2015

1 Ref. #	Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=\$554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	BANK ACCOUNTS Key Bank Checking Account Imported from original petition Doc# 8	239.46	0.00		0.00	FA
2	BANK ACCOUNTS PNC Checking Account Imported from original petition Doc# 8	170.91	0.00		0.00	FA
3	BANK ACCOUNTS Charter One Bank Payroll Tax Account Imported from original petition Doc# 8	912.29	912.29		900.30	FA
4	SECURITY DEPOSITS Dept of Public Works Oakland County Imported from original petition Doc# 8	500.00	500.00		500.00	FA
5	SECURITY DEPOSITS CVS Prescription Imported from original petition Doc# 8	865.52	0.00		0.00	FA
6	SECURITY DEPOSITS Building Security Deposit Imported from original petition Doc# 8	3,000.00	3,000.00		3,000.00	FA
7	ACCOUNTS RECEIVABLE Accounts Receivable - majority subject to builders trust fund claims Imported from original petition Doc# 8	354,889.02	354,889.02		144,389.29	FA
8	LIQUIDATED DEBTS OWING DEBTOR Advances Imported from original petition Doc# 8	3,547.40	3,547.40		0.00	FA
9	OTHER CONTINGENT AND UNLIQUIDATED CLAIMS Potential Legal Malpractice suit Imported from original petition Doc# 8	Unknown	5,000.00		600,000.00	FA
10	OTHER CONTINGENT AND UNLIQUIDATED CLAIMS Potential Insurance Refund Imported from original petition Doc# 8	Unknown	0.00		0.00	FA
11	INVENTORY Scrap material from finished jobs Imported from original petition Doc# 8	500.00	0.00		0.00	FA
12	OTHER CONTINGENT AND UNLIQUIDATED CLAIMS (u) Capital Contracting - vs- VT Agency Not originally scheduled; added to Schedules per amendment filed 1/13/15	Unknown	5,000.00		0.00	FA
13	MISC. REFUNDS (u)	0.00	458.11		3,034.05	FA
14	VOID	0.00	0.00		0.00	FA
15	CONCORDIA CONTRACTING, LLC Listed as "Originally scheduled account receivable" in error, should be "preference"	0.00	300,000.00		300,000.00	FA

Form 1

Individual Estate Property Record and Report

Asset Cases

Exhibit 8

Page: 2

Case No.: 14-58920 MAR

Case Name: CAPITAL CONTRACTING CO.

Trustee Name: (420030) Kenneth A. Nathan

Date Filed (f) or Converted (c): 12/09/2014 (f)

§ 341(a) Meeting Date: 01/14/2015

For Period Ending: 03/31/2020

Claims Bar Date: 04/16/2015

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=§554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
16 VOID - DUPLICATE OF ASSET NO. 9	0.00	0.00		0.00	FA
17 MISC. PREFERENCES Originally listed on Debtor's SOFA	0.00	63,289.87		63,289.87	FA
17 Assets Totals (Excluding unknown values)	\$364,624.60	\$736,596.69		\$1,115,113.51	\$0.00

Major Activities Affecting Case Closing:

10/16/19 Submit Amended TFR to UST
 10/15/19 Filed Supplemental Final Fee Apps for Attorney for Trustee and Accountant for Trustee
 5/21/19 6th Circuit Court of Appeals' Opinion and Judgment affirming U.S. District Court's dismissal of appeal
 Appeal to 6th Circuit
 9/20/18 U.S. District Court's Order Denying and Dismissing Carl Schier's appeal
 4/17/18 Carl Schier's Appeal to U.S. district Court of Order Overruling Objection to TFR
 4/2/18 Hearing on Objection to TFR
 3/16/18 Objection to TFR
 2/14/18 Filed Final Fee App of Trustee and Trustee's Accountant, and submit TFR to UST
 2/13/18 Final Fee App of Attorney for Trustee filed
 1/17/18 Notice to Professionals
 1/12/18 Notice of Intent to File Final Report
 1/3/18 All assets administered; preparation for final report
 11/6/17 Filed Motion to Compromise re: malpractice
 9/30/17 Monitoring settlement negotiations
 6/30/17 Ongoing monitoring of malpractice case
 3/31/17 Monitoring ongoing litigation re: malpractice action
 12/31/16 Monitoring legal malpractice action
 9/30/16 Ongoing litigation re: malpractice; pursuing preferences
 3/31/16 Continued pursuit of legal malpractice claim; continued collection of account receivables.
 12/31/15 Pursuing legal malpractice claim; collecting account receivables
 9/30/15 Finalizing deal with insiders and collecting account receivables; investigating pursuing malpractice claim
 6/30/15 Investing insider preferences and collecting account receivables
 5/29/15 Hired special counsel to investigate and pursue possible malpractice claim
 3/31/15 Assessing potential Chapter 5 recoveries; collecting account receivables
 1/30/15 Application to Employ Counsel for Trustee; order entered

Initial Projected Date Of Final Report (TFR): 04/30/2017

Current Projected Date Of Final Report (TFR): 10/16/2019 (Actual)

03/31/2020

Date

/s/Kenneth A. Nathan

Kenneth A. Nathan

Form 2

Cash Receipts And Disbursements Record

Exhibit 9

Page: 1

Case No.: 14-58920 MAR

Case Name: CAPITAL CONTRACTING CO.

Taxpayer ID #: **-***1357

For Period Ending: 03/31/2020

Trustee Name: Kenneth A. Nathan (420030)

Bank Name: Mechanics Bank

Account #: *****7366 Checking Account

Blanket Bond (per case limit): \$2,000,000.00

Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
01/15/15	{13}	Ally	System generated refund for customer payment turned over to Trustee at 341 hearing	1290-000	9.94		9.94
01/15/15	{13}	Contractor Solutions Rental	Turned over to Trustee at 341 hearing	1290-000	448.17		458.11
01/15/15	{6}	Concordia Contracting, LLC	Return deposit turned over to Trustee at 341 hearing	1129-000	3,000.00		3,458.11
01/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	3,448.11
02/11/15	{4}	County of Oakland	Return of deposit held per demand letter	1129-000	500.00		3,948.11
02/27/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	3,938.11
03/23/15	{7}	Greenstone Development, LLC	Collection of account receivable	1121-000	2,746.67		6,684.78
03/24/15	{3}	Charter One Bank	Close out of bank account per Trustee demand	1129-000	900.30		7,585.08
03/30/15	{13}	Prudential	Dividend payment	1290-000	6.96		7,592.04
03/31/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	7,582.04
04/16/15	{7}	First American Title Insurance Company	Payment in full on Oak Pointe Church project (Project No. 3409)	1121-000	7,776.00		15,358.04
04/16/15	{7}	First American Title Company	Payment in full on Andelina Ridge project (Project No. 3406)	1121-000	72,970.25		88,328.29
04/17/15	{7}	NC Contracting Services, LLC	Amounts owed on Job Nos. 3201, 3302 and 3305)	1121-000	7,469.81		95,798.10
04/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		64.81	95,733.29
05/04/15	{7}	First American Title Insurance Company	Amount owed by Sole Construction on the Glacier Club project (Job #3408) p/o 4/28/15	1121-000	32,625.00		128,358.29
05/11/15	{7}	Seville-Fox River LLC	Final payment under May, 2012 Settlement Agreement between Debtor, Seville Homes, Inc., Trimarr, Inc., Seville-Fox River, LLC, Michael McLaughlin and Gary Kerr (WCCC Case No. 10-007215-CK); all other payments under Settlement Agreement were paid to Debto	1121-000	5,000.00		133,358.29
05/29/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		174.72	133,183.57
06/12/15	{13}	Medtipster.com LLC	Final Refund	1290-000	19.18		133,202.75
06/25/15	{13}	Medtipster.com LLC	Return of security deposit	1290-000	865.52		134,068.27
06/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		204.51	133,863.76
07/20/15	{7}	Greco Title Agency, LLC	Job 3400/Stonebridge Shelby Associates, LLC	1121-000	1,277.98		135,141.74
07/31/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		199.57	134,942.17
08/03/15	{13}	ATTM Settlement	Prorata settlement re: AT&T Mobility Wireless Data Services Sales Tax Litigation	1290-000	39.68		134,981.85
08/10/15	{13}	Macomb County Department of Roads	Return of escrow re: Village of New Haven	1290-000	1,550.00		136,531.85
08/31/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		189.00	136,342.85

14-58920-mar Doc 214 Filed 04/01/20 Page Subtotals: \$137,205.46 \$862.61 Entered 04/01/20 09:25:39 Page 12 of 19

Form 2

Cash Receipts And Disbursements Record

Exhibit 9

Page: 2

Case No.: 14-58920 MAR

Case Name: CAPITAL CONTRACTING CO.

Taxpayer ID #: **-***1357

For Period Ending: 03/31/2020

Trustee Name: Kenneth A. Nathan (420030)

Bank Name: Mechanics Bank

Account #: *****7366 Checking Account

Blanket Bond (per case limit): \$2,000,000.00

Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
09/17/15	{7}	Braun Construction Group	Project No. 3401 (D & R Earthmoving)	1121-000	1,102.40		137,445.25
09/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		209.83	137,235.42
10/01/15	{13}	Blue Cross Blue Shield	Affordable Health Care Act rebate	1290-000	61.00		137,296.42
10/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		197.47	137,098.95
11/04/15		Condordia Contracting, LLC	Acct #14-58920; Payment #1; Payment on compromise settlement p/o 12/10/15		50,000.00		187,098.95
	{15}		Acct #14-58920; Payment #1; Payment on compromise settlement p/o 12/10/15 \$50,000.00	1141-000			
11/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		245.75	186,853.20
12/15/15	{7}	CCLA Building & Development, LLC	Payment on compromise settlement p/o 11/10/15	1121-000	13,421.18		200,274.38
12/15/15		Condordia Contracting, LLC	Acct #14-58920; Payment #2; Payment on compromise settlement p/o 12/10/15		50,000.00		250,274.38
	{15}		Acct #14-58920; Payment #2; Payment on compromise settlement p/o 12/10/15 \$50,000.00	1141-000			
12/21/15	101	INSURANCE PARTNERS AGENCY, INC.	Invoice 222018/Trustee Bond	2300-000		232.24	250,042.14
12/31/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		341.25	249,700.89
01/28/16		Concordia Contracting, LLC	Acct #14-58920; Payment #3; Payment on compromise settlement p/o 12/10/15		50,000.00		299,700.89
	{15}		Acct #14-58920; Payment #3; Payment on compromise settlement p/o 12/10/15 \$50,000.00	1141-000			
01/29/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		346.26	299,354.63
02/29/16	102	John F. Dery & Associates	Accountant for the Trustee fees p/o 2/29/16	3410-000		22,807.10	276,547.53
03/01/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		415.08	276,132.45
03/02/16	103	Jacob & Weingarten, P.C.	Attorney for the Trustee fees p/o 3/1/16	3210-000		109,974.00	166,158.45
03/02/16	104	Jacob & Weingarten, P.C.	Attorney for the Trustee expenses p/o 3/1/16	3220-000		1,052.32	165,106.13
03/31/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		293.66	164,812.47
04/28/16		Concordia Contracting, LLC	Acct #14-58920; Payment #5; Payment on compromise settlement p/o 12/10/15		50,000.00		214,812.47
	{15}		Acct #14-58920; Payment #5; Payment on compromise settlement p/o 12/10/15 \$50,000.00	1141-000			

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Case No.: 14-58920 MAR

Case Name: CAPITAL CONTRACTING CO.

Taxpayer ID #: **-*1357

For Period Ending: 03/31/2020

Trustee Name: Kenneth A. Nathan (420030)

Bank Name: Mechanics Bank

Account #: *****7366 Checking Account

Blanket Bond (per case limit): \$2,000,000.00

Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
04/29/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		228.52	214,583.95
05/31/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		297.54	214,286.41
06/30/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		338.15	213,948.26
07/29/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		296.66	213,651.60
08/01/16		Concordia Contracting, LLC	Acct #14-58920; Payment #4; Payment on compromise settlement p/o 12/10/15		50,000.00		263,651.60
	{15}		Acct #14-58920; Payment #4; Payment on compromise settlement p/o 12/10/15 \$50,000.00	1141-000			
08/31/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		406.44	263,245.16
09/22/16	105	Internal Revenue Service	Priority claim p/o 9/21/16	5800-000		34,990.85	228,254.31
09/22/16	106	State of Michigan	Secured claim \$16,550.58 and Priority claim \$21,236.98 p/o 9/21/16			37,787.56	190,466.75
		STATE OF MICHIGAN	Secured claim p/o 9/21/16 \$16,550.58	4800-000			
		STATE OF MICHIGAN	Priority claim p/o 9/21/16 \$21,236.98	5800-000			
09/22/16	107	Michigan Department of Treasury	Secured claim \$17,326.53; Priority claim \$8,138.16; and additional Priority claim \$2,593.73 p/o 9/21/16			28,058.42	162,408.33
		MICHIGAN DEPARTMENT OF TREASURY	Secured claim p/o 9/21/16 \$17,326.53	4800-000			
		MICHIGAN DEPARTMENT OF TREASURY	Priority claim p/o 9/21/16 \$8,138.16	5800-000			
		MICHIGAN DEPARTMENT OF TREASURY	Additional Priority claim p/o 9/21/16 \$2,593.73	5800-000			
09/30/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		377.60	162,030.73
10/19/16	{17}	J & H Transportation, Inc.	Payment on compromise settlement p/o 11/1/16	1141-000	20,000.00		182,030.73
10/27/16	{17}	James Burg Trucking Company	Payment on compromise settlement p/o 11/18/16	1141-000	16,000.00		198,030.73
10/31/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		280.84	197,749.89
11/02/16		Concordia Contracting, LLC	Acct #14-58920; Payment #6; Payment on compromise settlement p/o 12/10/15		50,000.00		247,749.89
	{15}		Acct #14-58920; Payment #6; Payment on compromise settlement p/o 12/10/15 \$50,000.00	1141-000			
11/07/16	{17}	Northern Concrete Pipe, Inc.	Payment on compromise settlement p/o 11/29/16	1141-000	8,789.87		256,539.76

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Cash Receipts And Disbursements Record

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Case No.: 14-58920 MAR

Case Name: CAPITAL CONTRACTING CO.

Taxpayer ID #: **-***1357

For Period Ending: 03/31/2020

Trustee Name: Kenneth A. Nathan (420030)

Bank Name: Mechanics Bank

Account #: *****7366 Checking Account

Blanket Bond (per case limit): \$2,000,000.00

Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
11/10/16	108	MACOMB COUNTY TREASURER	Secured claim p/o 11/9/16	4210-000		4,472.71	252,067.05
11/28/16	{17}	Coats Rose, P.C.	Payment on compromise settlement p/o 12/16/16	1141-000	5,000.00		257,067.05
11/30/16	109	INSURANCE PARTNERS AGENCY, INC.	Bond 11/01/16 - 10/31/17	2300-000		83.20	256,983.85
11/30/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		376.62	256,607.23
12/05/16	{17}	Mack Industries, Inc.	Payment on compromise settlement p/o 12/27/16	1141-000	13,500.00		270,107.23
12/30/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		383.81	269,723.42
01/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		413.75	269,309.67
02/28/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		361.53	268,948.14
03/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		399.73	268,548.41
04/25/17	110	Kenneth A. Nathan, Trustee	Interim fees p/o 4/25/17	2100-000		15,556.59	252,991.82
04/28/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		359.02	252,632.80
05/31/17	{13}	Insurance Brokerage Antitrust Litigation	Reimbursement from Insurance Brokerage Antitrust Litigation	1290-000	33.60		252,666.40
05/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		399.71	252,266.69
06/30/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		362.84	251,903.85
07/19/17	111	John F. Dery & Associates	Accountant's fees p/o 7/18/17	3410-000		31,246.30	220,657.55
07/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		338.26	220,319.29
08/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		348.61	219,970.68
09/29/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		305.84	219,664.84
10/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		337.01	219,327.83
11/30/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		315.47	219,012.36
12/07/17	112	Insurance Partners Agency, Inc.	Bond 11/1/17 thru 10/31/18	2300-000		86.59	218,925.77
12/29/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		304.46	218,621.31
01/02/18	{9}	Wesco Insurance Co (Claims Funding)	Settlement proceeds p/o 12/1/17	1129-000	600,000.00		818,621.31
01/03/18	113	Lawrence J. Acker, P.C.	Contingent fee p/o 12/1/17	3210-600		181,984.49	636,636.82
01/03/18	114	Lawrence J. Acker, P.C.	Costs advanced p/o 12/1/17	3220-610		54,046.52	582,590.30
01/31/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		891.09	581,699.21
04/03/18	115	John F. Dery & Associates	Distribution payment - Dividend paid at 100.00% of \$5,030.80; Claim # ACTTTTTEE; Filed: \$5,030.80	3410-000		5,030.80	576,668.41

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Page Subtotals: \$618,533.60 \$298,404.95

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Cash Receipts And Disbursements Record

Exhibit 9

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Case No.: 14-58920 MAR

Case Name: CAPITAL CONTRACTING CO.

Taxpayer ID #: **-***1357

For Period Ending: 03/31/2020

Trustee Name: Kenneth A. Nathan (420030)

Bank Name: Mechanics Bank

Account #: *****7366 Checking Account

Blanket Bond (per case limit): \$2,000,000.00

Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
04/03/18	116	Jacob & Weingarten, P.C.	Distribution payment - Dividend paid at 100.00% of \$1,478.16; Claim # ATYTTEXP; Filed: \$1,478.16	3220-000		1,478.16	575,190.25
04/03/18	117	Jacob & Weingarten, P.C.	Distribution payment - Dividend paid at 100.00% of \$118,158.00; Claim # ATYTTFEE; Filed: \$118,158.00	3210-000		118,158.00	457,032.25
04/03/18	118	Kenneth A. Nathan	Distribution payment - Dividend paid at 72.56% of \$56,703.41; Claim # FEE; Filed: \$56,703.41	2100-000		41,146.82	415,885.43
04/03/18	119	Kenneth A. Nathan	Distribution payment - Dividend paid at 100.00% of \$69.92; Claim # TE; Filed: \$69.92	2200-000		69.92	415,815.51
04/03/18	120	CONSUMERS ENERGY COMPANY	Distribution payment - Dividend paid at 6.89% of \$422.53; Claim # 3; Filed: \$422.53 Voided on 07/06/2018	7100-004		29.10	415,786.41
04/03/18	121	CONTRACTORS CONNECTION	Distribution payment - Dividend paid at 6.89% of \$1,054.13; Claim # 5; Filed: \$1,054.13 Voided on 07/06/2018	7100-004		72.59	415,713.82
04/03/18	122	MICHIGAN TRACTOR & MACHINERY CO.	Distribution payment - Dividend paid at 6.89% of \$19,275.13; Claim # 6; Filed: \$19,275.13 Voided on 07/06/2018	7100-004		1,327.34	414,386.48
04/03/18	123	CORRIGAN OIL COMPANY	Distribution payment - Dividend paid at 6.89% of \$7,113.52; Claim # 7 -3; Filed: \$7,113.52 Voided on 07/06/2018	7100-004		489.86	413,896.62
04/03/18	124	AIRGAS USA, LLC	Distribution payment - Dividend paid at 6.89% of \$741.20; Claim # 9; Filed: \$741.20 Voided on 07/06/2018	7100-004		51.04	413,845.58
04/03/18	125	INTERNAL REVENUE SERVICE	Distribution payment - Dividend paid at 6.89% of \$28,905.78; Claim # 10U-7; Filed: \$28,905.78 Voided on 07/06/2018	7100-004		1,990.54	411,855.04
04/03/18	126	LONGHORN ESTATES, LLC	Distribution payment - Dividend paid at 6.89% of \$5,926,240.80; Claim # 12; Filed: \$5,926,240.80 Voided on 07/06/2018	7100-004		408,098.95	3,756.09
04/03/18	127	MICHIGAN DEPARTMENT OF TREASURY	Distribution payment - Dividend paid at 6.89% of \$12,343.26; Claim # 13U; Filed: \$12,343.26 Voided on 07/06/2018	7100-004		849.99	2,906.10
04/03/18	128	PNC BANK, N.A.	Distribution payment - Dividend paid at 6.89% of \$23,192.31; Claim # 19; Filed: \$23,192.31 Voided on 07/06/2018	7100-004		1,597.09	1,309.01
04/03/18	129	JAMES A. ROCCHIO, PC	Distribution payment - Dividend paid at 6.89% of \$14,008.75; Claim # 22; Filed: \$14,008.75 Voided on 07/06/2018	7100-004		964.69	344.32
04/03/18	130	Coats Rose, P.C.	Distribution payment - Dividend paid at 6.89% of \$5,000.00; Claim # 27; Filed: \$5,000.00 Voided on 07/06/2018	7200-004		344.32	0.00
07/06/18	120	CONSUMERS ENERGY COMPANY	Distribution payment - Dividend paid at 6.89% of \$422.53; Claim # 3; Filed: \$422.53 Voided: check issued on 04/03/2018	7100-004		-29.10	29.10

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Cash Receipts And Disbursements Record

Exhibit 9

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Case No.: 14-58920 MAR

Trustee Name: Kenneth A. Nathan (420030)

Case Name: CAPITAL CONTRACTING CO.

Bank Name: Mechanics Bank

Taxpayer ID #: **-***1357

Account #: *****7366 Checking Account

For Period Ending: 03/31/2020

Blanket Bond (per case limit): \$2,000,000.00

Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
07/06/18	121	CONTRACTORS CONNECTION	Distribution payment - Dividend paid at 6.89% of \$1,054.13; Claim # 5; Filed: \$1,054.13 Voided: check issued on 04/03/2018	7100-004		-72.59	101.69
07/06/18	122	MICHIGAN TRACTOR & MACHINERY CO.	Distribution payment - Dividend paid at 6.89% of \$19,275.13; Claim # 6; Filed: \$19,275.13 Voided: check issued on 04/03/2018	7100-004		-1,327.34	1,429.03
07/06/18	123	CORRIGAN OIL COMPANY	Distribution payment - Dividend paid at 6.89% of \$7,113.52; Claim # 7 -3; Filed: \$7,113.52 Voided: check issued on 04/03/2018	7100-004		-489.86	1,918.89
07/06/18	124	AIRGAS USA, LLC	Distribution payment - Dividend paid at 6.89% of \$741.20; Claim # 9; Filed: \$741.20 Voided: check issued on 04/03/2018	7100-004		-51.04	1,969.93
07/06/18	125	INTERNAL REVENUE SERVICE	Distribution payment - Dividend paid at 6.89% of \$28,905.78; Claim # 10U-7; Filed: \$28,905.78 Voided: check issued on 04/03/2018	7100-004		-1,990.54	3,960.47
07/06/18	126	LONGHORN ESTATES, LLC	Distribution payment - Dividend paid at 6.89% of \$5,926,240.80; Claim # 12; Filed: \$5,926,240.80 Voided: check issued on 04/03/2018	7100-004		-408,098.95	412,059.42
07/06/18	127	MICHIGAN DEPARTMENT OF TREASURY	Distribution payment - Dividend paid at 6.89% of \$12,343.26; Claim # 13U; Filed: \$12,343.26 Voided: check issued on 04/03/2018	7100-004		-849.99	412,909.41
07/06/18	128	PNC BANK, N.A.	Distribution payment - Dividend paid at 6.89% of \$23,192.31; Claim # 19; Filed: \$23,192.31 Voided: check issued on 04/03/2018	7100-004		-1,597.09	414,506.50
07/06/18	129	JAMES A. ROCCHIO, PC	Distribution payment - Dividend paid at 6.89% of \$14,008.75; Claim # 22; Filed: \$14,008.75 Voided: check issued on 04/03/2018	7100-004		-964.69	415,471.19
07/06/18	130	Coats Rose, P.C.	Distribution payment - Dividend paid at 6.89% of \$5,000.00; Claim # 27; Filed: \$5,000.00 Voided: check issued on 04/03/2018	7200-004		-344.32	415,815.51
04/29/19		Transfer Debit to Metropolitan Commercial Bank acct *****1190	Transition Debit to Metropolitan Commercial Bank acct 3910021190	9999-000		415,815.51	0.00

COLUMN TOTALS

1,115,113.51

1,115,113.51

\$0.00

Less: Bank Transfers/CDs

0.00

415,815.51

Subtotal

1,115,113.51

699,298.00

Less: Payments to Debtors

0.00

NET Receipts / Disbursements

\$1,115,113.51

\$699,298.00

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Cash Receipts And Disbursements Record

Exhibit 9

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Case No.: 14-58920 MAR

Trustee Name: Kenneth A. Nathan (420030)

Case Name: CAPITAL CONTRACTING CO.

Bank Name: Metropolitan Commercial Bank

Taxpayer ID #: **-***1357

Account #: *****1190 Checking Account

For Period Ending: 03/31/2020

Blanket Bond (per case limit): \$2,000,000.00

Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
04/29/19		Transfer Credit from Rabobank, N.A. acct *****7366	Transition Credit from Rabobank, N.A. acct 5012047366	9999-000	415,815.51		415,815.51
11/18/19	1000	John F. Dery & Associates	Distribution payment - Dividend paid at 28.95% of \$83,164.20; Claim # ACTTTFEE; Filed: \$83,164.20	3410-000		24,080.00	391,735.51
11/18/19	1001	Jacob & Weingarten, P.C.	Distribution payment - Dividend paid at 10.77% of \$2,835.92; Claim # ATYTTEXP; Filed: \$2,835.92	3220-000		305.44	391,430.07
11/18/19	1002	Jacob & Weingarten, P.C.	Distribution payment - Dividend paid at 13.54% of \$263,860.50; Claim # ATYTTFEE; Filed: \$263,860.50	3210-000		35,728.50	355,701.57
11/18/19	1003	CONSUMERS ENERGY COMPANY	Distribution payment - Dividend paid at 5.89% of \$422.53; Claim # 3; Filed: \$422.53	7100-000		24.89	355,676.68
11/18/19	1004	CONTRACTORS CONNECTION	Distribution payment - Dividend paid at 5.89% of \$1,054.13; Claim # 5; Filed: \$1,054.13	7100-000		62.10	355,614.58
11/18/19	1005	MICHIGAN TRACTOR & MACHINERY CO.	Distribution payment - Dividend paid at 5.89% of \$19,275.13; Claim # 6; Filed: \$19,275.13	7100-000		1,135.45	354,479.13
11/18/19	1006	CORRIGAN OIL COMPANY	Distribution payment - Dividend paid at 5.89% of \$7,113.52; Claim # 7 -3; Filed: \$7,113.52	7100-000		419.04	354,060.09
11/18/19	1007	AIRGAS USA, LLC	Distribution payment - Dividend paid at 5.89% of \$741.20; Claim # 9; Filed: \$741.20	7100-000		43.66	354,016.43
11/18/19	1008	INTERNAL REVENUE SERVICE	Distribution payment - Dividend paid at 5.89% of \$28,905.78; Claim # 10U-7; Filed: \$28,905.78	7100-000		1,702.77	352,313.66
11/18/19	1009	LONGHORN ESTATES, LLC	Distribution payment - Dividend paid at 5.89% of \$5,926,240.80; Claim # 12; Filed: \$5,926,240.80	7100-000		349,100.58	3,213.08
11/18/19	1010	MICHIGAN DEPARTMENT OF TREASURY	Distribution payment - Dividend paid at 5.89% of \$12,343.26; Claim # 13U; Filed: \$12,343.26	7100-000		727.12	2,485.96
11/18/19	1011	PNC BANK, N.A.	Distribution payment - Dividend paid at 5.89% of \$23,192.31; Claim # 19; Filed: \$23,192.31	7100-000		1,366.20	1,119.76
11/18/19	1012	JAMES A. ROCCHIO, PC	Distribution payment - Dividend paid at 5.89% of \$14,008.75; Claim # 22; Filed: \$14,008.75	7100-000		825.22	294.54
11/18/19	1013	Coats Rose, P.C.	Distribution payment - Dividend paid at 5.89% of \$5,000.00; Claim # 27; Filed: \$5,000.00	7200-000		294.54	0.00

COLUMN TOTALS

Less: Bank Transfers/CDs

Subtotal

Less: Payments to Debtors

NET Receipts / Disbursements

415,815.51

415,815.51

0.00

0.00

\$0.00

415,815.51

0.00

415,815.51

0.00

\$415,815.51

\$0.00

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Cash Receipts And Disbursements Record

Case No.: 14-58920 MAR
Case Name: CAPITAL CONTRACTING CO.
Taxpayer ID #: **_***1357
For Period Ending: 03/31/2020

Trustee Name: Kenneth A. Nathan (420030)
Bank Name: Metropolitan Commercial Bank
Account #: *****1190 Checking Account
Blanket Bond (per case limit): \$2,000,000.00
Separate Bond (if applicable): N/A

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCES
*****7366 Checking Account	\$1,115,113.51	\$699,298.00	\$0.00
*****1190 Checking Account	\$0.00	\$415,815.51	\$0.00
	\$1,115,113.51	\$1,115,113.51	\$0.00

03/31/2020

Date

/s/Kenneth A. Nathan

Kenneth A. Nathan